

ENTERED

David J. Bradley, Clerk

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**VS.**

CIVIL ACTION NO. 3:15-CV-106

www

## Defendants.

## RECOMMENDATION

- Mac Metals Sales PA, Inc. (“Mac Metal”) (Dkts. 10, 11);
- Magellan Midstream Partners, L.P., Magellan Terminal Holdings, L.P., and Magellan Pipeline Company, L.P. (together, “Magellan”) (Dkt. 52); and
- Travelers Indemnity Company (“Travelers”) and Catlin Insurance Company, Inc. (“Catlin”) (Dkt. 55).

On June 17, 2016, Judge Froeschner filed a Report and Recommendation recommending that the Limitation Petitioner's Motion for Summary Judgment be denied as to claimants Mac Metal, Travelers, and Catlin. It further recommended that the motion for summary judgment be granted as to Magellan.

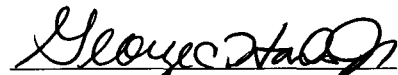
No objections have been filed to the Report and Recommendation. Accordingly, the Court reviews the Report and Recommendation for plain error on the face of the record. 28 U.S.C. § 636(b)(1); *see also*, FED. R. CIV. P. 72(b)(3).

Based on the pleadings, the record and the applicable law, the Court finds that there is no plain error apparent from the face of the record. Accordingly, it is hereby **ORDERED AND ADJUDGED** that:

- (1) Judge Froeschner Report and Recommendation is **APPROVED AND ADOPTED** in its entirety as the holding of the Court;
- (2) The Motion for Summary Judgment as to claimants Mac Metal, Travelers, and Catlin is **DENIED**; and
- (3) The Motion for Summary Judgment as to Magellan is **GRANTED**.

It is so **ORDERED**.

SIGNED on January 11, 2017 at Galveston, Texas.

  
George C. Hanks, Jr.  
United States District Judge